



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
EPA NEW ENGLAND
ONE CONGRESS STREET
SUITE 1100 - MAIL CODE SPP
BOSTON, MASSACHUSETTS 02114-2023

July 18, 2001

Office of the
Regional Administrator

Dear College or University President:

For over two years, EPA New England has combined targeted enforcement at colleges and universities with access to compliance education and tools through workshops and the Region's College and University Website. Our goal remains addressing your compliance and environmental education needs, while communicating our belief that environmental issues should be educational and fiscal priorities on your campuses.

In furtherance of that goal, we notify you of an EPA New England College and University Initiative. This initiative invites you to use EPA's Audit Policy to identify environmental violations at your campus, disclose those violations to us, and voluntarily correct them. If specific conditions are met, the Policy allows penalty reductions of up to 100% for violations that might otherwise be assessed through an EPA enforcement action. (However, EPA reserves the right to pursue penalties for violations from which your institution realized a significant economic benefit). In exchange for your agreement to participate, EPA New England will categorize your institution as a low inspection priority. This means that your institution is unlikely to be inspected by EPA for a set period of time, unless we receive a complaint or become aware of a condition that may threaten human health or the environment.

We offer this opportunity while reminding you that enforcement remains a critical component of our approach towards institutions of higher learning. Targeted inspections of colleges and universities not participating in this initiative will continue. If these inspections reveal non-compliance, formal enforcement actions remain likely. Our continued commitment to enforcement is demonstrated by EPA's recent settlements with the University of Rhode Island and the Massachusetts Institute of Technology. The University of Rhode Island agreed to a settlement worth over \$800,000 stemming from widespread environmental violations found at the university's Kingston campus. MIT agreed to an enforcement settlement worth over \$550,000.

The possibility of such actions at your campus can be mitigated, however. EPA's Audit Policy¹ encourages compliance with laws and regulations which protect human health and the environment through self-policing, discovery, disclosure, correction and prevention.

¹ "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations, Notice, 65 F.R. 19617, April 11, 2000"

The terms of participation are simple. Your institution must notify EPA and your state's environmental agency, in writing, of its intent to participate no later than September 30, 2001. If you do so, we will rank your institution as a low inspection priority through December 31, 2002. You then have until June 30, 2002 to complete your audit. However, if a participant fails to notify EPA by July 30, 2002 that it has completed its audit, the participant's facility will be returned to a normal inspection priority.

If violations are revealed by the audit, you must inform EPA and your state's environmental agency of the violations, in writing, within twenty-one (21) days of your receipt of the audit report. The Audit Policy states that you must then correct the violations within sixty (60) days. However, if you believe that a violation cannot be corrected within 60 days, you may contact EPA to discuss an extension. If your audit reveals no violations, simply inform EPA in writing. You will then retain your low inspection priority through December 31, 2002. (Your state's position on submissions made under the self-audit policy is set out in the table attached to this letter.)

We encourage the preparation of audit reports to help you discover and correct any violations of environmental requirements. However, you are under no obligation to submit the completed audit report to EPA.

A copy of the Audit Policy is attached. The Audit Policy, with interpretive guidance, is also available on the Internet at <http://es.epa.gov/oeca/ore/apolguid.html>. Please remember that to qualify for penalty reduction or elimination, your institution and its report to EPA must satisfy criteria set out in the Audit Policy. Be sure to read it carefully.

We are hosting an informational meeting on August 1, 2001 at the EPA New England's One Congress Street headquarters in Boston from 9:30AM to 11:30 AM. If you wish to attend this meeting, have any questions, or need more information, please contact Joshua Secunda at (617) 918-1736 or via e-mail at secunda.josh@epa.gov.

While you are obligated to comply with applicable federal environmental laws, your decision to conduct an audit or participate in this program is purely voluntary. We hope you will take advantage of this opportunity.

Sincerely yours,

Ira W. Leighton
Acting Regional Administrator

cc: State DEPs/DEMs